IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.2703 of 2005

State of Maharashtra — Petitioner
Vs.
Manohar A. Patankar & ors. — Respondents

Mr.A.S.Shitole, APP for State.
Mr.Kishor Patil for resp.nos.5,6,16,19,21 to 24.

CORAM: B.H.MARLAPALLE, J.

August 31, 2007.

P.C.

. Heard Mr.Adsule, the learned APP. It appears that the learned Judicial Magistrate, First Class at Patan by his order dated 22/12/2003 discharged the accused from the offence punishable under Section 295 of IPC and proceeded to frame charge against the accused under Section 427 read with Section 34 of IPC. The said order dated 22/12/2003 was sought to be challenged in CRA No. 4 of 2004 and the same came to be dismissed. This writ petition has been filed by the State taking exception to the order of discharge.

. However, as observed by the Revision Court, the parties have filed a joint purshis on 7/6/2004 and prayed for compounding of the offence. This has

been brought out in the affidavit-in-reply filed by the respondent no.1.

. Hence it is directed that the joint purshis filed by the parties, if still pending before the trial Court, be heard and decided as per law as expeditiously as possible and preferably by 31st October 2007.

. Petition is disposed off in terms of the above order with a clarification that this order will not come in the way of the State to file against the order of acquittal, if so desired before the Sessions Court.

(B.H.MARL